

Hammond



County of Los Angeles CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

January 8, 2002

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

INDIGENT DEFENSE REPRESENTATION AT WEST COVINA COURT (FIFTH DISTRICT AFFECTED) (3 VOTES)

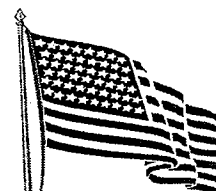
IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the attached contract amendment between the County of Los Angeles and the Citrus Alternate Defenders to provide \$163,748 in compensation for workload increases attributable to lawful unavailability by the Public Defender at the West Covina Court.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

To manage and limit unavailability on a Countywide level, the Public Defender strategically reassigns its deputy public defender staff from one court location to another to ensure the most efficient use of staff resources. In March 2001, the Public Defender lost one deputy public defender from West Covina Court due to attrition. In July 2001, West Covina Court opened a new Proposition 36 Drug Court. As a result, the Public Defender was unable to provide coverage in two courtrooms at the West Covina location and declared unavailability on 611 new misdemeanor cases.

The contractor, Citrus Alternate Defenders, provided first tier representation on all new cases in the two courtrooms during this period in which the Public Defender declared a conflict or other lawful unavailability. Citrus Alternate Defenders has requested compensation for the 611 cases. The attached contract amendment will compensate Citrus Alternate Defenders for the additional cases attributable to diminished Public Defender staffing at West Covina Court.



United We Stand

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Implementation of Strategic Plan Goals

This public/private partnership between the Citrus Alternate Defenders and the County of Los Angeles represents one of the best types of cooperative ventures and is consistent with the County's philosophy of collaboration and addresses Goal No. 3: Organizational Effectiveness. It also provides the public with easy access to quality constitutionally mandated legal services which are cost effective to the County.

FISCAL IMPACT/FINANCING

Under the Lockyer-Insenberg Trial Court Funding Act of 1997, the County of Los Angeles maintains responsibility for criminal indigent defense costs. Funding is available in the Trial Court Indigent Defense Operating Budget to cover this cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On September 15, 1998, the County entered into contract with the Citrus Alternate Defenders to handle all Public Defender conflicts and other lawful unavailability at West Covina Court. The service level, as defined in the contract, includes all legal defense services typically provided by the Public Defender. Compensation was set at the flat contract price of \$145,000 for all misdemeanor and felony indigent defendants appointed to the contractor during the term of the contract through the completion of each case. The County's cost would remain the same whether the workload goes up or down, unless diminished Public Defender staffing substantially increases caseload levels for the contractor. In such circumstances, the contract provides that if the contractor can demonstrate a material increase in workload as a result of diminished Public Defender staffing in the contracted court, additional compensation may be requested. The contract also provides all changes in compensation require Board of Supervisors approval.

In contract year 1998-1999, Citrus Alternate Defenders, comprised of four associate attorneys, handled 537 cases. In the subsequent year 1999-2000, the contractor handled 519 cases. However, in contract year 2000-2001, Citrus Alternate Defenders handled 1,144 cases. The Public Defender's monthly caseload statistics confirm 611 of these cases are directly attributable to Public Defender unavailability at West Covina Court.

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CONTRACTING PROCESS

This contract was approved by the Board of Supervisors on September 15, 1998 and has been renewed under the original terms and conditions each year. The attached Contract Amendment Number One is amending Contract Number 71765.


IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed contract amendment will have no impact on current services.

CONCLUSION

Upon approval of this request by the Board of Supervisors, it is requested that the Executive Officer, Clerk of the Board return two fully executed copies of the contract to my office.

Respectfully submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:WLW
RMG:ljp

Attachments (1)

c: County Counsel
Public Defender
Superior Court
Citrus Alternate Defenders
west covina.bl